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CENTRAL FAX CENTER

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In re Application of
William J. Murphy, et al.

U. S. Serial No.: 10/678,693

Filed: October 3, 2003

For: INTEGRATED PROCESS FOR
CATALYTIC DEWAXING

-) Before the Examiner
-) Tam M. Nguyen
-) Confirmation Number: 9950
-) Group Art Unit: 1764
-) Family Number: P2002J099
(JJK-0329)

OCT 13 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

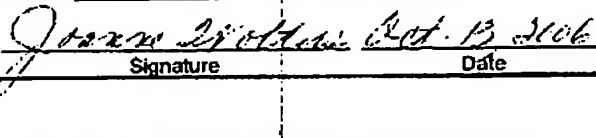
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 Oct 13 2006

REQUEST FOR REFUND OF FEES PAID BY MISTAKE OR IN EXCESS OF
THAT REQUIRED UNDER 37 CFR 1.26(a)

\$910

Sir:

This is a request for refund of Fees incorrectly charged to and/or paid by mistake from Deposit Account 05-1330 for the above referenced application. The fees incorrectly charged/paid by mistake are a Request for Continued Examination fee under 37 CFR 1.17(e) (fee code 1801; amount \$790.00) and a related 1 month extension fee under 37 CFR 1.17(a) (fee code 1251; amount \$120.00). Both fees were incorrectly


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Family Number: P2002J099

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charged/paid by mistake on July 14, 2006. Upon grant of this request, the funds should be returned to Deposit Account 05-1330. This request for refund should be granted for at least the following reasons:

1) The Fees were incorrectly charged because prosecution was not closed for the application. The incorrect charge of fees was based on a Request for Continued Examination with a One Month Extension that was filed on July 13, 2006. This Request for Continued Examination was not a proper request, however, because prosecution was not closed. On July 12, 2006, a First Office Action was issued for 10/678,693. A copy of the prosecution history from the Public PAIR website is attached to this request. As shown in the prosecution history, the Request for Continued Examination was not filed until after the issuance of the non-final Office Action.

MPEP 706.07 states what should occur when an improper Request for Continued Examination is filed: 706.07(h).III.A.1 – “If prosecution in the application is not closed, applicant will be notified of the improper RCE and any amendment/reply will be entered. Thereafter, the application will be forwarded to the examiner for consideration of the amendment/reply under 37 CFR 1.111.”

Applicants were not notified of the error. Instead, the RCE was accepted and the fees were charged. If the policy under MPEP 706.07 had been followed, Applicant would not have been charged the fee.

CENTRAL FAX CENTER

U.S. Serial Number: 10/678,693
Family Number: P2002J099

OCT 13 2006

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2) The Request for Continued Examination on July 13, 2006 was improper in part due to a proper Request for Continued Examination filed on June 20, 2006. The corresponding fee was deducted from Deposit Account 05-1330 on June 23, 2006.

Respectfully submitted,



Lawrence E. Carter
Attorney for Applicant(s)
Registration No. 51,532
Telephone Number: (908) 730-3632
Facsimile Number: (908) 730-3649

Pursuant to 37 CFR 1.34(a)

ExxonMobil Research and Engineering Company
P. O. Box 900
Annandale, New Jersey 08801-0900

10/13/06



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Integrated process for catalytic dewaxing 																																			
This application is officially maintained in electronic form. To View: Click the desired Document Description. To Print: Check the desired document(s) and click StartDownload.																																			
<table border="1"> <thead> <tr> <th>Mail Room Date</th> <th>Document Description</th> <th>Page Count</th> <th>File Type</th> </tr> </thead> <tbody> <tr> <td>07-13-2006</td> <td>Request for Continued Examination (RCE)</td> <td>1</td> <td>PDF</td> </tr> <tr> <td>07-12-2006</td> <td>Extension of Time</td> <td>1</td> <td>PDF</td> </tr> <tr> <td>07-12-2006</td> <td>Non-Final Rejection</td> <td>9</td> <td>PDF</td> </tr> <tr> <td>06-20-2006</td> <td>List of References cited by applicant and considered by examiner</td> <td>2</td> <td>PDF</td> </tr> <tr> <td>06-20-2006</td> <td>Fee Worksheet (PTO-975)</td> <td>1</td> <td>PDF</td> </tr> <tr> <td>06-20-2006</td> <td>Amendment After Final or under 37CFR 1.312, Initiated by the examiner</td> <td>1</td> <td>PDF</td> </tr> <tr> <td>06-20-2006</td> <td>Fee Worksheet (PTO-975)</td> <td>1</td> <td>PDF</td> </tr> </tbody> </table>				Mail Room Date	Document Description	Page Count	File Type	07-13-2006	Request for Continued Examination (RCE)	1	PDF	07-12-2006	Extension of Time	1	PDF	07-12-2006	Non-Final Rejection	9	PDF	06-20-2006	List of References cited by applicant and considered by examiner	2	PDF	06-20-2006	Fee Worksheet (PTO-975)	1	PDF	06-20-2006	Amendment After Final or under 37CFR 1.312, Initiated by the examiner	1	PDF	06-20-2006	Fee Worksheet (PTO-975)	1	PDF
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http://portal.uspto.gov/external/portal/u/p_s/7_0_A/7_0_C/H/cmd/auth/ar/sa/getBib.ps/N/c/6_0_69/ce7_0_3AB/p/5_0_341/..._9/21/2006

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10-03-2003	Fee Worksheet (PTO-875)	1

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- Send general questions about USPTO programs to the USPTO Contact Center (UCC).
- If you experience technical difficulties or problems with this application, please report them via e-mail Business Support or call 1 800-786-9199.

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/678,693
Filing Date	10/03/2003
First Named Inventor	William J. Murphy
Art Unit	1764
Examiner Name	Tam M. Nguyen
Attorney Docket Number	JJK-0329 (P2002J099)

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JUL 13 2006**

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. Other Reply filed 26 May 2006, which was not entered by the Examiner.

b. Enclosed

i. Amendment/Reply
ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)
iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 05-1330. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other Any additional fees required

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

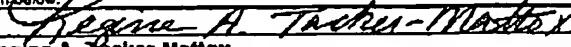
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	July 13, 2006
Name (Print/Type)	Gerard J. Hughes	Registration No.	41,855

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	July 13, 2006
Name (Print/Type)	Regina A. Tucker-Mattox	Registration No.	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 800-PTO-9199 and select option 2
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) JJK-0329 (P2002J099)																			
FY 2005 <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		Filed 10/03/2003	RECEIVED CENTRAL FAX CENTER JUL 13 2006																		
Application Number 10/6778,893																					
For INTEGRATED PROCESS FOR CATALYTIC DEWAXING	Art Unit 1764	Examiner Tam M. Nguyen																			
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table> <thead> <tr> <th></th> <th><u>Fee</u></th> <th><u>Small Entity Fee</u></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$120</td> <td>\$60</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$450</td> <td>\$225</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$1020</td> <td>\$510</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$1590</td> <td>\$795</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$2160</td> <td>\$1080</td> </tr> </tbody> </table> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>05-1330</u>. I have enclosed a duplicate copy of this sheet. </p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>41,855</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p><i>Gerard J. Hughes</i> Signature</p> <p>July 13, 2006 Date</p> <p>Gerard J. Hughes Typed or printed name</p> <p>(225) 977-4942 Telephone Number</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input checked="" type="checkbox"/> Total of 1 forms are submitted.</p> <p>82-FC-1251 120.00 DA</p>					<u>Fee</u>	<u>Small Entity Fee</u>	<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080
	<u>Fee</u>	<u>Small Entity Fee</u>																			
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<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225																			
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<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795																			
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080																			

This collection of information is required by 57 CFR 1.136(e). The information is required to obtain or retain a benefit by the public which is to file (and by the agency to process) a petition for a rulemaking or for a hearing. See 35 U.S.C. 123, as amended by 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete.

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This collection of information is required by 37 CFR 1.193(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0100 and select option 2.

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